

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Katzman et al.

Serial No.: 10/549,488

Filed: September 15, 2005

Entitled: Modafinil-Based Neurorehabilitation of  
Impaired Neurological Function  
Associated with Brain Injury

Art Unit: (not yet assigned)

Examiner: (not yet assigned)

**U.S. national phase of Int'l Appln. PCT/US2004/008056**

Atty. Docket No.: NEU-102.1P US

**Mail Stop PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. § 371**

Sir:

Applicants are in receipt of a Notification Of Missing Requirements, dated March 30, 2006, in the above-identified application. The Notification instructs Applicants to provide an executed declaration under 37 C.F.R. § 1.497(a) and (b) with the accompanying surcharge (\$65.00) under 37 C.F.R. § 1.492(h).

This response is filed concurrently with a request for a 2-month extension of time and the appropriate fee of \$225.00 under 37 C.F.R. § 1.17(a)(2), making the new response deadline July 30, 2006. No additional fees are believed to be due; however, the Commissioner is authorized to charge any additional fees required in connection with the papers filed herewith to Deposit Account No. 50-0268.

**EXECUTED DECLARATION/POWER OF ATTORNEY**

As requested in the Notification Of Missing Requirements, Applicants submit herewith a combined declaration/power of attorney, executed by inventors Daniel E. KATZMAN, Elkan R. GAMZU, Neal M. FARBER, and Esteban A. FRIDMAN.

Applicants respectfully request entry of the enclosed executed combined Declaration/Power of Attorney to complete the formal requirements for this application.

Respectfully submitted,



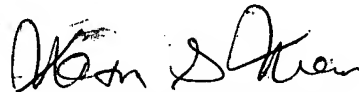
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CERTIFICATE OF MAILING

I hereby certify that this correspondence and accompanying documents are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: **Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

July 27, 2006

date



Nasim G. Memon

~~TRB~~

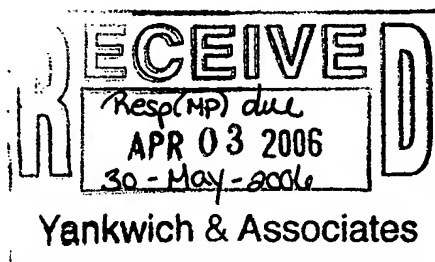
## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,488	Daniel E Katzman	NEU-102.1P US

INTERNATIONAL APPLICATION NO.	
PCT/US04/08056	
I.A. FILING DATE	PRIORITY DATE
03/17/2004	03/17/2003

Leon R Yankwich  
 Yankwich & Associates  
 201 Broadway  
 Cambridge, MA 02139



CONFIRMATION NO. 9463

371 FORMALITIES LETTER



\*OC000000018413755\*

Date Mailed: 03/30/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/15/2005
- Copy of the International Search Report filed on 09/15/2005
- Preliminary Amendments filed on 09/15/2005
- Oath or Declaration filed on 09/15/2005
- Request for Immediate Examination filed on 09/15/2005
- U.S. Basic National Fees filed on 09/15/2005
- Substitute Specification filed on 09/15/2005
- Priority Documents filed on 09/15/2005
- Specification filed on 09/15/2005
- Claims filed on 09/15/2005
- Abstracts filed on 09/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,488	PCT/US04/08056	NEU-102.1P US